IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO : 18899 of 2004**

Between:

1 L. Narayana Murthy S/o Late Dalaiah
R/o Kaviti Kaviti Mandal, Srikakulam District
2 B. Kalyani W/o Sri B. Rajendra Prasad
R/o Kaviti Kaviti Mandal, Srikakulam District

**..... PETITIONERS**

AND

The Secretary, State Transport Authority, A.P., Sri BRKR Office Buildings, Tank Bund Road, Hyderabad

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, one in the nature or Writ of Mandamus, declaring the inaction of the respondent in considering the petition dt 17-3-2004 filed on 18-3-2004 by the petitioners as illegal, improper unjust and failure to exercise its powers vested in him, with a direction to the respondent to consider the said petition dt 17-3-2004 filed on 18-3-2004 and dispose of it Immediately, failing which the petitioners will suffer irreparable loss and to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioners: MR.T.VENKATA RAMANA**

**Counsel for the Respondent : GP FOR TRANSPORT**

**The Court, at the stage of admission, made the following :**

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**ORAL ORDER**

The petitioners are bus operators in Srikakulam district. The 1st petitioner is operating a bus on pucca permit on inter-state enclave route Baruva to Koligam via) Kaviti and Ichapuram. The 2nd petitioner is also operating another bus on the basis of the pucca permit on the inter-state enclave route Donkuru Bridge to Ichapuram via) Edupuram and Dharmapuram. The petitioners are contending that the Orissa State Transport Authorities are indiscriminately granting temporary stage carriage permits to other operators in the inter-state routes covering more than 16 K.M in A.P.State. The petitioners further contend that those routes are not covered by any inter-state agreements and the grant of permits to those operators are in violation of the conditions of the notified routes approved in G.O.Ms.Nos.1161, 1163 and 1164/1987, dated 09-11-1987. Though the buses are operating for more than 16 K.M distance in A.P. State, those permits are not countersigned by the respondent. The petitioners further contend that they filed petitions before the respondent on 17-03-2004 by presenting it on 18-03-2004 to the respondent requesting to take necessary action regarding the plying of the buses on temporary permits granted by the Orissa State Transport Authorities. The grievance of the petitioners is that the respondents did not take any action on the representation made by them. Therefore, they approached this Court through this writ petition seeking to declare that the in action of the respondent on the representation of the petitioners as illegal and improper and to direct the respondent to consider the petition dated 17-03-2004 and to dispose of the same.

The learned counsel for the petitioners submits that the petitioners gave the details of the routes and the bus numbers running on temporary permits in the inter-state route covering more than 16 K.M in A.P. State and he further submits that it is essential that the respondent shall take appropriate action regarding those operations without counter-signature of the respondent on the permits issued by the Orissa State Transport Authority.

Having regard to the submissions made by the learned counsel for the petitioners, the respondent is directed to examine the application of the petitioners dated 17-03-2004 presented on 18-03-2004 and pass appropriate orders regarding the action that is required to be taken on the grievance of the petitioners for the loss they are sustaining on account of the operation of the buses by other operators by obtaining temporary permits from Orissa State Transport authority, as expeditiously as possible.

Accordingly, the writ petition is disposed of. No order as to costs.

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Dr.G.YETHIRAJULU,J

17th NOVEMBER 2004

*TSNR

TO

1. The Secretary, State Transport Authority, A.P., Sri BRKR Office Buildings, Tank Bund Road, Hyderabad.
2. 2 CCs to G.P for Transport, High Court Buildings, High Court of A.P.Hyderabad(OUT).
3. 2 CD copies.